

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

A.O.A., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:11 CV 44 CDP
	)	
IRA L. RENNERT, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

Upon due consideration of the parties' October 8, 2024, Joint Status Report (ECF 1422) and their opposing motions to dismiss (ECF 1364, 1375), I conclude that it is appropriate to dismiss with prejudice those plaintiffs who have wholly failed to produce any Plaintiff Profile Sheets (PPSs) as more than six years have passed since those plaintiffs have filed their cases and joined this litigation, and no reasonable excuse justifies their failure to comply with the Court's directives to produce their PPSs. To the extent plaintiffs provide specific reasons for two identified plaintiffs' noncompliance (*see* ECF 1376-3), I note that the recent Joint Status Report does not include those individuals among those who have continued to fail to produce their PPSs. To the extent plaintiffs otherwise provide general reasons for noncompliance (*see* ECF 1376 at p. 6), it does not appear that those general obstacles prevented other plaintiffs from complying with the Court's directive to produce PPSs during the

relevant period.

I will not dismiss those plaintiffs who have failed to produce notarized Supplemental PPSs. Defendants contend that the “upshot” of the method of PPS production in this case renders the PPSs akin to interrogatory answers under Federal Rule of Civil Procedure 33, whose supplementation must be signed under oath. While there was an agreement that the PPSs would satisfy plaintiffs’ Rule 26(a) disclosure requirement (*see* ECF 104 – Mar. 20, 2013, Status Conf. Tr. at pp. 41-43), I am aware of no agreement that the PPSs would be treated as answers to interrogatories. (*See* ECF 100 – Mar. 18, 2013, Jt. Stat. Rep. at p. 1 (defendants’ statement that notarization was for purposes of verifying identity of individual plaintiffs; no mention of Rule 33 requirements); ECF 104 – Mar. 20, 2013, Status Conf. Tr.) Regardless, given the lack of mutual understanding as to whether supplemental PPSs were required to be notarized, I will not dismiss those plaintiffs who have failed to produce them.

Accordingly,

**IT IS HEREBY ORDERED** that defendants’ Motion to Dismiss for Failure to Prosecute by Producing Profile Sheets [1364] and plaintiffs’ Motion for Voluntary Dismissal [1375] are **GRANTED in part and DENIED in part**.

**IT IS FURTHER ORDERED** that the following thirty-seven (37) plaintiffs are dismissed from this action with prejudice for failure to produce any Plaintiff Profile


Sheet as directed by various Orders of this Court:<sup>1</sup>

No.	Plf ID	Plaintiff Name	Initials	Member Case No.
1	1073	[REDACTED]	AJBF	4:18 CV 585
2	1028	Castro Torres, Luis Fernando	LFCT	4:16 CV 1731
3	1029	Castro Torres, Simone Victoria	SVCT	4:18 CV 585
4	1369	CC, XS	XSCC	4:18 CV 575
5	1363	CG, LE	LECG	4:18 CV 575
6	1035	[REDACTED]	NCQ	4:18 CV 575
7	1046	Damian Pablo, Miguel Jesus	MJDP	4:18 CV 585
8	1060	Espinoza Solano, Brayan Jhoan	BJES	4:16 CV 1731
9	1202	[REDACTED]	JMGR	4:18 CV 585
10	1086	[REDACTED]	JPGS	4:18 CV 575
11	1373	Hinostroza Porras, Edu Carlos	ECHP	4:18 CV 575
12	1374	HP, L	LHP	4:18 CV 575
13	1111	Jimenez Torre, Arnold De'niel	ADJT	4:16 CV 1731
14	1112	Jimenez Torre, Shantal Estefani	SEJT	4:16 CV 1731
15	1378	Leon Camavilca, Andrea Cristal	ACLC	4:18 CV 575
16	1141	Miranda Cirineo, Michel Jhonatan	MJMC	4:16 CV 1731
17	1305	[REDACTED]	MNMP	4:15 CV 705
18	1304	Moya Pilco, Maricielo	MMP	4:15 CV 705
19	1162	[REDACTED]	GNPM	4:18 CV 575
20	1163	[REDACTED]	JJPM	4:18 CV 575
21	1164	Paredes Miranda, Sheyla Sadit	SSPM	4:16 CV 1731
22	1176	[REDACTED]	JCPP	4:18 CV 594
23	1383	QG, RS	RSQG	4:18 CV 575
24	1211	Rivera Casimiro, Waldir Alexis	WARC	4:16 CV 1731
25	1310	Rivera Pilco, Sebastian	SRP	4:15 CV 705
26	1220	Rojas Rivera, Luis Dayton	LDRR	4:16 CV 1731
27	1221	Rojas Rivera, Roslyn Elizabeth	RERR	4:16 CV 1731
28	1225	[REDACTED]	GPRZ	4:18 CV 575
29	1030	Romero Chavez, Keler Leonidas	KLRC	4:16 CV 1731
30	1230	[REDACTED]	GORP	4:18 CV 575

<sup>1</sup> The following list was provided by the parties in their Joint Status Report filed October 8, 2024 (ECF 1422). I have redacted the names of those plaintiffs whose full names are included in the Joint Status Report but who remain identified by only their initials on the respective docket sheets.

31	1231	Salcedo Moreno, Kevin Cristhian	KCSM	4:18 CV 585
32	1237	Santa Cruz Zevallos, Kevin Johan	KJSCZ	4:16 CV 1731
33	1393		DFSC	4:18 CV 575
34	1394	SP, FE	FESP	4:18 CV 575
35	1397	SQ, CE	CESQ	4:18 CV 575
36	1261	Torres Rosales, May Dewitt	MDTR	4:16 CV 1731
37	1262		NKTR	4:18 CV 585

No other plaintiffs are dismissed from this action at this time.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 1st day of November, 2024.